

REMARKS

Claims 8-11 and 14-25 are pending in this application. By this Amendment, claim 8 is amended. Support for the amendment to the claims may be found in the specification at, for example, paragraphs [0010]-[0012] and in the original claims. No new matter is added. Reconsideration and allowance of the application based upon the above amendments and the following remarks are respectfully requested.

I. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 8, 9, 11 and 14-25 under 35 U.S.C. §103(a) over U.S. Patent No. 7,195,787 to Pykett et al. ("Pykett") in view of "Antioxidant activity, lipid peroxidation and skin diseases. What's new," to Briganti et al. ("Briganti") as evidenced by "Antioxidants in Prevention of Reperfusion Damage of Vascular Endothelium," to Wall ("Wall"); and rejects claim 10 under 35 U.S.C. §103(a) over Pykett in view of Briganti as evidenced by Wall and further in view of U.S. Patent Application Publication No. 2003/0095940 to Schiltz ("Schiltz"). Applicant respectfully traverses the rejections.

Claim 8 recites, *inter alia*, "a method for decreasing comedogenesis in skin suffering from acne by preventing thickening of sebum due to oxidation brought about by bacterial components and UV radiation." The applied references fail to teach, suggest, or establish any reason or rationale to provide such features.

Pykett discloses a topical cosmetic composition containing a synergistic mixture of three anti-free radical agents. See Pykett, col. 1, line 63 to col. 2, line 34, and Abstract. Pykett also discloses that "the skincare compositions have been shown to protect the skin more effectively from free radicals," and "the skin care compositions of the present invention may be used to provide improved protection against damage to skin caused by exposure to factors such as sunlight, environmental and/or atmospheric pollution." See Pykett, col. 1, lines 48-55.

However, as acknowledge by the Office Action, Pykett does not teach or suggest the treatment of acne. See Office Action, page 3. Furthermore, Pykett fails to disclose the features of amended claim 8 and does not establish any reason or rationale to guide one of ordinary skill in the art to the possibility of using an antioxidant in order to decrease the comedogenesis involved in retention acne and the activity of such antioxidants on fluidification of sebum.

Briganti fails to teach, suggest, or establish any reason or rationale to provide "a method for decreasing comedogenesis in skin suffering from acne by preventing thickening of sebum due to oxidation brought about by bacterial components and UV radiation," and thus does not cure the deficiencies of Pykett with respect to claim 8.

Briganti discloses that "ROS produced by neutrophils are involved in the irritation and destruction of the follicular wall, responsible for the inflammatory progression of acne. ... in comedo lesions, ROS overflow occurs due to a lack of inhibitors." See Briganti, page 665, right column to page 666, left column. Briganti also discloses that oxidation of sebum "generates squalene peroxides, which exerts comedogenic effects." See Briganti, page 666, left column. That is, Briganti merely discloses ROS produced by neutrophils may be responsible for oxidation of sebum and that degradation of squalene oxidation products in the surface of the skin causes the formation of comedos. See Briganti, page 666, left column. In the claimed method, the composition acts on the fluidification of the sebum not on its degradation by preventing reticulation of the squalene, as in Briganti. Thus, Briganti does not cure the deficiencies of Pykett because it fails to establish any reason or rationale to prevent thickening of sebum "due to oxidation brought about by bacterial components and UV radiation," as required by claim 8.

Wall is concerned with the use of antioxidants in prevention of reperfusion damages of vascular endothelium and is only applied for its alleged teachings of the features of

dependent claim 11, and thus does not cure the deficiencies of Pykett and Briganti with respect to claim 8.

Schiltz discloses dodecyl gallate for its antioxidant properties for achieving skin anti aging benefits and is only applied for its alleged teachings of the features of dependent claim 10, and thus does not cure the deficiencies of Pykett, Briganti and Wall with respect to claim 8.

For at least the reasons presented above, claim 8 would not have been rendered obvious by the applied references. Claims 9-11 and 14-25 variously depend from claim 8 and thus would not have been rendered obvious by the applied references. Reconsideration and withdrawal of the rejections are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of this application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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